

**Rules and Regulations of the Department of Human Services  
Division of Child Support Services  
Chapter 290-7-1 Recovery and Administration of Child Support**

**SYNOPSIS**

**The following summarizes the Rules and Regulations under Chapter 290-7-1, of the Rules of the Department of Human Services, Division of Child Support Services.**

The existing rules and regulations of the Department of Human Services, pertaining to the Division of Child Support Services (DCSS), have been thoroughly revised based on a review that clearly identified provisions that were outdated, and in some cases incomplete, based on amended language in federal and state law. The following is a synopsis of the revisions and explanation for the changes.

- The proposed regulations not only include an expanded and updated definitions section that aligns with language used in DCSS' enabling statutes, but the regulations also link all provisions to statutory sections regarding DCSS and its enforcement authority.
- The proposed regulations add language to clarify the nature of the IV-D program, and that DCSS does not represent applicants for services but rather the interests of children.
- The proposed regulations would require genetic testing on all establishment cases where paternity is an issue, which also aligns with current DCSS policy.
- The current regulations do not address many fees currently imposed by DCSS or the manner in which DCSS can collect those fees. The proposed regulations, therefore, provide authority for using administrative tools such as a "notice to withhold and deliver," an FIW, or tax intercepts to collect these overdue fees.
- The proposed regulations are substantially revised as needed with respect to the review and modification process to align with recent amendments to O.C.G.A. § 19-11-12. Also, a provision is added to clarify that administrative (OSAH) orders normally must be modified through the administrative process, while civil (superior court) orders must be modified in civil court.
- The proposed regulations add language to clarify who may be eligible to apply for services, and that DCSS is authorized by law to accept applications only in circumstances when there is a dependent child involved.
- In contrast with the current regulations, the proposed regulations now thoroughly address important DCSS enforcement tools such as passport and drivers license suspensions, tax-refund intercepts, income withholding, and garnishments.
- The proposed regulations explain the Uniform Interstate Family Support Act (UIFSA) proceedings which DCSS and courts can look to for guidance.

- The proposed regulations provide DCSS with the authority to pursue the collection of erroneous payments or overpayments utilizing its administrative enforcement tools.
- In furtherance of DCSS' mission of ensuring that support goes to the child, the proposed regulations allow for re-direction of payments so as to follow the child when one or more children under the order is subsequently placed in the physical custody of another person.
- The proposed regulations provide regulatory authority for the department to share information with law enforcement officials under certain conditions.
- The proposed regulations clarify that any accounts found outside of Georgia may be seized through the IV-D agency in the state where the account is found.
- The proposed regulations provide DCSS with the ability to seek review of an OSAH decision, either administratively or by superior court.